



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: May 24, 2005

Department: Zoning, Building, and Planning **Staff Contact:** Catherine VerEecke, Program Planner

TITLE: CONSENT: Special Use Permit for Specific Use Special Use Permit for Specific Use for Auto Dismantling & Storage and Retail of Autos and Trucks (including retail of dumpsters & trash compactors) (CSU-40006)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the April 6, 2005 public hearing, the County Planning Commission voted (5-0; Holcomb, Montano excused) to recommend approval of the request for a Special Use Permit for Specific Use for Auto Dismantling & Storage and Retail of Autos and Trucks (including retail of dumpsters & trash compactors) on Lot G-1, Merritt Acres, SP-75-113, located at 6360 Second Street NW on the southeast corner of Edith Boulevard and Willow Road, zoned C-1, containing approximately .63 acres. The decision was based on the following eight (8) Findings and subject to the following seventeen (17) Conditions.

Findings:

1. This request is for a Special Use Permit for Special Use for Auto Dismantling & Storage and Retail of Autos and Trucks (including retail of dumpsters and trash compactors) on Lot G-1, Merritt Acres, SP-75-113, located at 6360 Second Street NW on the southeast corner of Second Street and Willow Road, zoned C-1, containing approximately .63 acres.
2. On July 24, 1996, the Board of County Commissioners approved a Special Use Permit (CSU 96-14) for an auto and truck dismantling on the property, which expired in 2001. The Special Use Permit for auto and truck dismantling (CSU-96-14) is superceded by this Special Use Permit for Auto Dismantling & Storage and Retail of Autos and Trucks (CSU-40006).
3. The property is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
4. This Special Use Permit for Specific Use for the request includes conditions of approval and regulations requiring the applicant to minimize impacts to adjoining properties.
5. This request is consistent with Resolution 116-86 in that the proposed land use is more advantageous to the community in that the North Valley Area Plan Policy 2.3.c states that the City and County shall promote commercial development and redevelopment of existing commercially-zoned properties.

6. This request is consistent with Resolution 116-86 in that changed neighborhood conditions in the vicinity of the site, including the development of several heavy commercial businesses, justify this land use change.
7. This request has substantial neighborhood support.
8. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. All structures on the site shall be brought into compliance with the Bernalillo County Building Code and the ADA (American Disabilities Act) Code and with County Environmental Health standards.
2. Dumpsters and trash compactors shall be confined to the areas indicated on the site plan.
3. The applicant shall comply with requirements of the Office of Environmental Health as detailed in the approved fuel management plan. No batteries may be stored on the site and no engine parts may be stored on the ground.
4. The applicant shall grant 7 feet of right-of-way along Willow Road to Bernalillo County Public Works Division for Public right-of-way.
5. No parking will be allowed along Willow Road.
6. The applicant shall park no more than 15 trucks on display on the site at any given time.
7. Hours of operation shall be Monday to Saturday, 8 a.m. to 6 p.m.
8. A sign permit shall be obtained from the New Mexico State Highway Department for the sign on Second St. A copy of the permit shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
9. Lighting shall be site specific. Shielded or cutoff features shall be provided so that no fugitive light crosses into adjacent lots.
10. There shall be a six-foot high solid fence (chain link with slats) along the property lines abutting residential uses.
11. There shall be a 10 foot wide landscaped front yard along Second Street and Willow Street and a 6 foot wide landscaped buffer between the existing business and the adjacent residential property. Landscaping shall be installed within six months of the final Board of County Commissioners' approval and shall be in compliance with the landscaping requirements in the County Zoning Ordinance.
12. Conditions 1-11 must be met within one year from the final Board of County Commissioners approval.
13. Equipment or materials (other than trucks) shall not be stored above the 6 foot high fence line.

14. This Special Use Permit shall be issued for a period of 10 years.
15. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
16. A revised site development plan consistent with the Conditions of Approval shall be submitted for review to the Zoning Administrator within two months after the final Board of County Commissioners' approval.
17. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (April 8, 2005)
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING DEPARTMENT:

Staff Recommends Approval